

Message Text

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PAGE 01 BRASIL 00441 191228Z

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ACTION ARA-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 NSCE-00

SSO-00 USIE-00 INRE-00 AID-05 EB-07 CU-02 IO-11 OMB-01

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FM AEMBASSY BRASILIA

TO SECSTATE WASHDC IMMEDIATE 3397

C O N F I D E N T I A L BRASILIA 0441

E.O.11652: GDS

TAGS: PFOR, BR

SUBJECT: BILATERAL MECHANISM WITH BRAZIL

REF: STATE 011364

1. EMB HAS REVIEWED DEPT DRAFT CAREFULLY AND
SUGGESTS FOLLOWING MODIFIED TEXT FOR "MEMORANDUM
OF UNDERSTANDING CONCERNING CONSULTATIONS
ON MATTERS OF MUTUAL INTEREST":

"THE GOVERNMENT OF THE USA AND THE
GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL:

INSPIRED BY THE LONG TRADITION OF
FRIENDSHIP AND COOPERATION BETWEEN THEIR TWO PEOPLES:
RECOGNIZING THE INTERDEPENDENCE OF THEIR TWO COUNTRIES
IN THE PURSUIT OF THEIR SHARED GOAL OF A JUST AND
ENDURING SOLUTION TO INTERNATIONAL PROBLEMS:

CONVINCED OF THE IMPORTANCE TO THE SOUND
DEVELOPMENT OF THEIR RESPECTIVE POLICIES OF CLOSE
AND FREQUENT CONSULTATIONS ON MATTERS OF COMMON
INTEREST:

AND BELIEVING THAT THESE CONSIDERATIONS
CALL FOR THE ESTABLISHMENT OF A FLEXIBLE MECHANISM PERMITTING
OPEN AND ACTIVE COMMUNICATION AT THE CABINET LEVEL, HAVE
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 BRASIL 00441 191228Z

ARRIVED AT THE FOLLOWING UNDERSTANDING:

1) THE TWO GOVERNMENTS WILL HOLD CONSULTATIONS SEMI-ANNUALLY ON THE FULL RANGE OF FOREIGN POLICY MATTERS AFFECTING THEIR RELATIONS. ECONOMIC, POLITICAL, SECURITY, CULTURAL, LEGAL, EDUCATIONAL AND TECHNOLOGICAL SUBJECT, WHETHER BILATERAL OR MULTILATERAL, MAY BE DISCUSSED WITHIN THE POLITICAL FRAMEWORK AFFORDED BY THE CONSULTATIONS.

2) THESE CONSULTATIONS WILL NORMALLY BE HELD ALTERNATELY IN BRAZIL AND THE US ON DATES TO BE MUTUALLY DETERMINED. SPECIAL MEETINGS MAY BE CALLED BY MUTUAL AGREEMENT.

3) THE CONSULTATIONS WILL BE CONDUCTED BY THE SECRETARY OF STATE ON THE PART OF THE USA AND BY THE MINISTER OF FOREIGN RELATIONS ON THE PART OF THE FEDERATIVE REPUBLIC OF BRAZIL. THE CHAIRMAN OF THE MEETING WILL BE THE CHIEF OF THE DELEGATION OF THE HOST COUNTRY.

4) EACH DELEGATION WILL BE COMPOSED OF SUCH OTHER HIGH-RANKING OFFICIALS, INCLUDING CABINET MEMBERS, AS THE HEAD OF THE RESPECTIVE DELEGATION DESIRES AND ARE APPROPRIATE TO THE AGENDA TO BE DISCUSSED.

5) AFTER REVIEW OF MATTERS OF COMMON INTEREST BY THE DELEGATIONS, THE CHIEFS OF THE DELEGATIONS MAY PROPOSE TO THEIR RESPECTIVE GOVERNMENTS MEASURES DEEMED PERTINENT AND APPROPRIATE.

6) BY JOINT DECISION, STUDY GROUPS OR WORKING GROUPS MAY ESTABLISHED TO REVIEW PARTICULAR QUESTIONS OF CURRENT INTEREST OR TO HELP CARRY FORWARD SPECIAL PROJECTS.

7) EACH PARTY WILL ESTABLISH SUCH INTERNAL ARRANGEMENTS AS IT DEEMS APPROPRIATE TO PREPARE FOR THE CONSULTATIONS AND FOLLOW THROUGH ON THE CONCLUSIONS AND RECOMMENDATIONS THAT MAY ARISE FROM THEM.

8) IN ADDITION TO THESE CONSULTATIONS AT THE CABINET LEVEL, CONSULTATIONS WILL BE CARRIED FORWARD ON AN ONGOING BASIS THROUGH NORMAL DIPLOMATIC CHANNELS. THESE CHANNELS WILL BE USED FOR THE PREPARATION OF A MUTUALLY ACCEPTABLE AGENDA FOR THE CONSULTATIONS.

9) THE FOREGOING ARRANGEMENTS WILL
CONFIDENTIAL

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PAGE 03 BRASIL 00441 191228Z

COMPLEMENT AND IN NO WAY REPLACE OR DETRACT FROM THE EXISTING CHANNELS FOR TRANSACTING BUSINESS.

10) THIS MEMORANDUM WILL COME INTO OPERATION UPON SIGNATURE BY THE SECRETARY OF STATE OF THE UNITED STATES OF AMERICA AND OF THE FOREIGN MINISTER OF THE FEDERATIVE REPUBLIC OF BRAZIL.

2. CHANGES RECOMMENDED ABOVE ARE ESSENTIALLY

MATTERS OF STYLE AND TONE WITH FOLLOWING EXCEPTIONS:

1) REDRAFTING OF THIRD PREAMBULAR PARAGRAPH STATES MORE CLEARLY PURPOSE OF CONSULTATIONS AS EMB SEES THEM AND, WE BELIEVE, AS GOB SEES THEM.

2) CHANGE IN OPERATIVE PARAGRAPH (1) BROADENS SCOPE OF CONSULTATIONS IN ACCORDANCE WITH WHAT WE UNDERSTAND TO BE GOB'S DESIRES AND PRESUME TO BE OUR OWN.

3) CHANGE IN OPERATIVE PARAGRAPH (5) REFLECTS EMB'S UNDERSTANDING OF MANNER IN WHICH BOTH GOVTS WILL WISH TO HANDLE PROPOSALS STEMMING FROM CONSULTATIONS, I.E., SEPARATELY BY DELEGATION CHIEFS TO RESPECTIVE GOVERNMENTS RATHER THAN JOINTLY BY BOTH CHIEFS OF DELEGATION TO BOTH GOVERNMENTS. WE WOULD CONSIDER "COLLEGIALITY" INVOLVED IN LATTER APPROACH NEITHER PRACTICAL NOR DESIRABLE.

4) DELETION OF "AD HOC" IN OPERATIVE PARA (6) IS RECOMMENDED SINCE IT IS REDUNDANT GIVEN REMAINDER OF SENTENCE, AND MORE IMPORTANTLY BECAUSE IT WOULD APPEAR TO EXCLUDE EXISTING STANDING COMMISSIONS SUCH AS THE ECONOMIC CONSULTATIVE GROUP, WHICH WE HAVE ALWAYS ASSUMED WOULD BE INCORPORATED IN THE NEW MECHANISM AFTER IT IS SET UP.

5) CHANGES RECOMMENDED IN OPERATIVE PARA (7) BASED ON SAME CONSIDERATION MOTIVATING CHANGES RECOMMENDED PARA (5).

3. FOREIGN MINISTER HAS AGAIN EXPRESSED TO THE AMBASSADOR INTEREST IN MOVING AHEAD WITH DISCUSSIONS OF DRAFT, AND IT HAS BEEN AGREED THAT EMB WILL COMMUNICATE WITH ITAMARATY FIRST PART OF WEEK OF JANUARY 19 TO SET UP EARLY APPOINTMENT.
CONFIDENTIAL

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PAGE 04 BRASIL 00441 191228Z

WE WOULD LIKE TO BE ABLE TO PRESENT AS WELL DEVELOPED A DRAFT AS POSSIBLE AND REQUEST DEPT'S COMMENTS ON EMB'S PROPOSED VERSION BY COB JANUARY 20.
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Margaret P. Grafeld
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04 MAY 2006

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